

Remarks

Claims 1, 2, 4, 5 and 7-19 were pending and under consideration.

Claims 8, 9, 10, 15 and 16 are canceled.

Claims 1, 14, 17, 18 and 19 are amended.

Claims 1, 2, 4, 5, 7 and 11-14 and 17-19 are now pending and are under consideration.

Amendments

Claim 1 is amended to make the polycondensation product by process more clear.

Claim 1 is also amended to require that the binder component c) is present from 1 to 60% by weight. Support that the lower limit may be 1% is found in the working Examples, for instance page 33 where 1% of gelatin is present.

Claim 1 is also amended to define the carrier and the binder as in original claims 9 and 10.
Claims 9 and 10 are canceled.

The remaining claims are amended to be consistent with claim 1.

No new matter is added.

Claim Rejections

Claims 1, 2, 4, 5, 7, 8, 11, 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over Kuzmenka, et al., U.S. Pat. No. 6,627,591 in view of Tittmann, et al., U.S. Pat. No. 5,705,605.

The present claims now contain the limitations of claims 9 and 10. Applicants submit that the present amendments address and overcome these rejections.

Claims 1, 2, 4, 5, 7-9, 11, 13, 14, 17 and 18 are rejected under 35 USC 103(a) as being unpatentable over Kuzmenka.

The present claims now contain the limitations of original claim 10. Applicants submit that the present amendments address and overcome these rejections.

Claims 1, 2, 4, 5, 8-11, 13, 14 and 17-19 are rejected under 35 USC 103(a) as being unpatentable over Bettoli, et al., U.S. Pat. No. 6,187,740 in view of Kuzmenka.

Bettoli is cited as teaching laundering fabrics for the benefit of inhibiting dye transfer with granular compositions. Bettoli is also cited as disclosing for instance zeolites and carboxymethylcellulose.

Kuzmenka is cited as teaching TINOFIX CL.

Applicants submit that these disclosures are very broad and generic. Therefore one skilled in the art could not arrive at the specific present particulates or granules from the cited combination of references.

In any event, Applicants submit that the outstanding results of the present invention could not have been expected from any disclosure of the combined references.

The present outstanding results are demonstrated in the working Examples on pages 37-39. Granules of Example 1 contain TINOFIX CL and as carrier a zeolite and as binder maltodextrin. Granules of Example 9 contain TINOFIX CL and as carrier cellulose and as binder an ethylene oxide/propylene oxide copolymer.

Washing formulations containing granules of Examples 1 and 9 are compared to washing compositions containing only TINOFIX CL and to compositions containing neither TINOFIX CL or the present granules.

Dyed cotton fabric is washed together with an undyed (accompanying) fabric. Table 1 shows the color protecting effect for the accompanying fabric when using washing compositions comprising the present granules.

The blue fabrics are washed again with a fresh accompanying fabric with a standard washing composition. The results of Table 2 show the outstanding fixative effect of the present granules.

In view of these unexpected results, Applicants submit that these rejections are overcome.

Claims 12, 15 and 16 are rejected under 35 USC 103(a) as being unpatentable over Bettoli in view of Kuzmenka and further in view of Panandiker.

Applicants submit that the rejection of claim 12 is addressed as above.

Claims 15 and 16 are canceled.

In view of the present amendments and above remarks, Applicants submit that each of the 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388

Ciba Specialty Chemicals Corp.
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914)785-2783
Fax (914)785-7102

Attachments: Petition for a 2 month extension of time